

**REMARKS**

Claims 1, 2, and 4-8 remain pending. Claims 1, 5, and 7 are currently amended. No claims are canceled or added via the present submission.

Claims 5 and 6 stand objected to under 37 C.F.R. § 1.75(c). Applicants respectfully traverse this objection.

It is stated in the Office Action that the claims are in improper form, but no supporting reason is provided. The Office Action includes a citation to Manual of Patenting Examining Procedure (MPEP) § 608(n), but the Office Action does not include an explanation of how this section supposedly supports the claim objection. Claim 5 refers to claims 1 and 2 in the alternative, and it does not depend from another multiple dependent claim. Claim 6 is not a multiple dependent claim, so it cannot be a multiple dependent claim in improper form.

Because the Office Action does not provide a persuasive reason why claims 5 and 6 do not comply with 37 C.F.R. § 1.75(c), applicants traverse the objection. For the purpose of expediting prosecution, applicants even amend claim 5 to recite its dependency in the exactly the same words provided as an example in MPEP §608(n).

If the objection is not withdrawn, applicants request a clear explanation of why the claims are supposedly in objectionable form.

Claims 1, 2, and 4-8 stand rejected under 35 U.S.C. § 102(b) as anticipated by Takahashi (U.S. Patent No. 6,097,202). Applicants respectfully traverse this rejection.

As explained in applicants' December 30, 2003 submission, under PCT Article 11(3) and 35 U.S.C. § 363, the filing date of the present application is the international filing date of international application PCT/JP01/04994, which is June 13, 2001. Because this date is not more than one year after the Takahashi issue date (August 1, 2000), the claims cannot be anticipated by

Takahashi under 35 U.S.C. §102(b). The Office Action provides no explanation of why 35 U.S.C. §102(b) is still relied upon to reject claims. (Perhaps, such reliance is inadvertent.)

Nonetheless, because the Takahashi patent issued before Applicants' filing date (potentially allowing the reference to be classified as prior art under another provision of 35 U.S.C. § 102), applicants explain as follows why the subject matter presented in Takahashi cannot support an anticipation rejection.

Claim 1 describes an inspection apparatus that has a "sensor means," and claim 7 describes an inspection method that uses a sensor means. Both claims specify that the sensor means includes a "second switching means" for controlling the connection between each of a plurality of sensor elements and an output means. The remaining claims depend from one of claims 1 and 7, so they include the quoted features by virtue of their dependency.

The anticipation rejection relies on Takahashi's sensor module 50 to teach the claimed "sensor means" and on Takahashi's switch section SW2 to teach the claimed "sensor element select means." However, as shown in Takahashi's Fig. 1, sensor module 50 does not include switch section SW2, which would be analogous to the claimed arrangement. Therefore, the rejection under 35 U.S.C. § 102(b) is improper for at least this second reason.

Applicants acknowledge that the PTO routinely interprets claims elements as broadly as *reasonable*, but the presently-amended claims distinguish the invention from the Takahashi disclosure in view of a potential interpretation that combination of Takahashi's sensor module 50 and switch section SW2 collectively teach the claimed sensor means. Specifically, both base claims 1 and 7 now specify that that sensor means "is a unit that includes a built-in second switching means ..." (Exemplary support for this amendment can be found in applicants' Fig. 4, which shows sensor unit 1 as a unit that includes a built-in switching circuit 16.)

In contrast to the claimed subject matter, Takahashi's switch section SW2 is not a switching means that is a "built-in" part of sensor module 50. Fig. 1 clearly shows that, even though sensor module 50 and switch section SW2 are electrically connected, switch section SW2 is a separate element from sensor module 50. Even if the combination of Takahashi's sensor module 50 and switch section SW2 collectively were considered a "unit," Takahashi nonetheless does not teach that switch section SW2 is "built-in" as claimed. Therefore, with the proposed amendment, the claim more clearly distinguishes the invention from the asserted prior art.

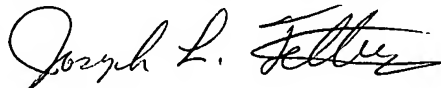
Withdrawal of the anticipation rejection is now solicited.

In view of the remarks above, applicants now submit that the application is in condition for allowance. Accordingly, a Notice of Allowability is hereby requested. If for any reason it is believed that this application is not now in condition for allowance, the Examiner is welcome to contact applicants' undersigned attorney at the telephone number indicated below to arrange for disposition of this case.

In the event that this paper is not timely filed, applicants petition for an appropriate extension of time. The fees for such an extension, or any other fees which may be due, may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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